

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF DRINKING WATER
APRIL 2, 2019**

ITEM 5

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO AN INTERAGENCY AGREEMENT OR AMEND THE EXISTING INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR ANALYTICAL AND CONSULTING SERVICES FROM THE DRINKING WATER AND RADIATION LABORATORY

DISCUSSION

The Governor's Budget in fiscal year 14/15 transferred the program responsible for administration of the Safe Drinking Water Act (SDWA) from the California Department of Public Health (CDPH) to the State Water Resources Control Board (State Water Board). The United States Environmental Protection Agency (U.S. EPA) administers the federal SDWA and adopts National Primary Drinking Water Regulations to implement it. The U.S. EPA granted primary enforcement responsibility for public water systems in the State (primacy) to the State Water Board. One requirement for states to maintain primacy is that it must have available to it laboratory facilities certified by the U.S. EPA Administrator, capable of performing analytical measurements of all contaminants specified in the State primary drinking water regulations, specified in 40 CFR 142.10(b)(4). Pursuant to U.S. EPA guidance, a laboratory that meets these requirements is known as a "State Principal Laboratory."

The CDPH through its Drinking Water and Radiation Laboratory (DWRL) has been the State Principal Laboratory for the State Water Board, Division of Drinking Water, for several years. The laboratory performs analytical measurements of all contaminants specified in the State primary drinking water regulations and had maintained U.S. EPA certification. DWRL provides laboratory analytical and consulting services to the State Water Board. The State Water Board entered into an Interagency Agreement with CDPH in 2015, when the Drinking Water Program was transferred to the State Water Board. The current Interagency Agreement expires June 30, 2019. To maintain the State Water Board's primacy, this contract must be renewed or a new one entered into by the State Water Board. The term of the interagency agreement will be three years, from July 1, 2019 through June 30, 2022.

POLICY ISSUE

This authorization is necessary to ensure that the State Water Board maintains primacy for implementing the Safe Drinking Water Act.

FISCAL IMPACT

The Interagency Agreement will be for an amount not to exceed \$8,259,239 over a three years period.

REGIONAL BOARD IMPACT

N/A

STAFF RECOMMENDATION

Staff recommends adopting this resolution to comply with the U.S. EPA federal regulations specified in the Safe Drinking Water Act. The resolution will authorize the Executive Director or a designee to negotiate and enter into an interagency agreement or to amend the existing interagency agreement, in an amount not to exceed \$8,259,239 over a three years period with the California Department of Public Health for analytical and consulting services provided by the DWRL to maintain primacy from U.S. EPA for the Drinking Water Program.